

IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE
SPECIAL EXCEPTION
Westminster Rd/Pk. & I-795, SW/S * ZONING COMMISSIONER
Westminster Rd & SE end Mitchell Dr.
& NW/S I-795 (Mitchell Drive) * OF BALTIMORE COUNTY
4th Election District
3rd Councilmanic District * Case No. 99-32-SPHX
Legal Owner: Thomas G. Mitchell
Lessee: Mid Atlantic Golf/
Reisterstown, LLC, Petitioners

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Special Exception for the property adjacent to Mitchell Drive, located near Westminster Pike (Md. Route 140) and I-795 in northwest-ern Baltimore County. The Petitions were filed by Thomas G. Mitchell, property owner and Mid Atlantic Golf/Reisterstown, LLC, Lessee. Special Hearing relief is requested to approve an amendment to the Special Exception plan and Order approved in case 72-237-X, to revise the site boundary to reflect the parcel remaining after a State Highway Administration taking for the construction of I-795. Relief is also sought to revise and update the site layout to provide the facilities as shown on the plat submitted to accompany the Petitions for Special Hearing and Special Exception, so as to permit the lighting of the miniature golf course, the driving range, the practice green, Par 3 golf course, batting cage and parking areas. Similar special exception relief is also requested. Specifically, an Order is sought to approve the submitted plan, which adds 1.75 acres to the subject parcel which was granted special exception relief in case No. 72-237-X. The subject property and requested relief are all more particularly shown on the plan to accompany the Petition for Special Hearing and Petition for Special Exception marked as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case was Douglas S. Rice, on behalf of Mid-Atlantic Golf/Reisterstown LLC, Lessee. Also

ORDER RECEIVED FOR FILING

Date

By

present was Mark Weber, an engineer retained by the Petitioner, and Don King. The Petitioner was represented by Robert W. Cannon, Esquire. Appearing as interested persons were several neighbors in the vicinity, including John T. Sindall and Peggy Sindall, Linda A. Langrall and Stephen Perrault.

The subject property at issue is a well known tract located in northwestern Baltimore County, in the vicinity of where I-795 (Northwest Expressway) merges into Md. Route 140, (Westminster Pike). This area is near the Baltimore County/Carroll County boundary and is northwest of Owings Mills. The subject property under consideration is approximately 49.5 acres and is zoned R.C.4 (47.7 acres) and R.C.3 (1.8 acres). It is an irregularly shaped parcel and vehicular access thereto is by way of a small road known as Mitchell Drive.

The site has been used for recreational purposes for a number of years. In this regard, the property was developed in the early 1970s by former Baltimore Colt football player, Tom Mitchell. In case No. 72-237-X, special exception relief was granted to approve a Par 3 golf course, a driving range and similar amenities. Originally, the Petition for Special Exception included 51.07 acres of land. At that time, the subject property was so sized and was subsequently developed in accordance with the approved plan. The site has been used in this manner since its development in the early 1970s. Recently, however, a new entity has assumed management and control of the property and facility. The facility is now operated by Mid Atlantic Golf/Reisterstown LLC, who was represented at the hearing by Mr. Rice. Apparently, Mr. Rice and his organization have a contract to lease the property from Mr. Mitchell with an option to buy.

The subject property and facility are well known to this Zoning Commissioner and are somewhat of a landmark in the northwest Baltimore County

area. The site provides a recreational amenity to the citizens both in this area of Baltimore County, as well as those who reside in Carroll County.

The matter comes before me at this time in order to update and revise the site plan previously approved in the prior case. The amended plan now offered reflects certain changes to the actual property and use thereon caused by development in the area and the Petitioner's updated plans. Nonetheless, it is clear that the character of the existing property and use will not change.

Among the changes to the previously approved plan is the actual size and shape of the property. It was indicated that the original special exception was approved for a parcel which was approximately 51.07 acres. However, subsequent to that approval, the State Highway Administration (SHA) acquired lands and constructed the Northwest Expressway (I-795). As a result of this construction, the SHA and Mr. Mitchell entered into a land swap agreement wherein certain portions of the subject property were conveyed to the SHA for the right of way and actual construction of I-795. In exchange therefore, certain lands owned by the State were added to the Mitchell property. As noted above, there was a net decrease to the size of the subject property, which is now approximately 49.5 acres as opposed to the original 51.07.

Moreover, there are other changes proposed by the Petitioner to upgrade the site. These changes are more specifically detailed on the plat to accompany the Petitions (Petitioner's Exhibit No. 1) and a chart which was offered at the hearing (Petitioner's Exhibit No. 2) which compares existing conditions, the items originally approved under the special exception and proposed upgrades. As that chart indicates, the parking lot for the facility will be enlarged, the driving range, Par 3 course, and miniature golf facility retained, and a batting cage installed. Additionally, certain

ORDER RECEIVED FOR FILING

Date

By

areas of the facility will be refurbished and reconfigured so as to provide a better recreational amenity.

As noted above, several neighbors from the nearby residential community known as Knob Hill attended the hearing. They raised a number of questions to the Petitioner and his witnesses regarding the existing use of the property and proposed improvements. Generally, the neighbors seemed satisfied with the answers provided. In this regard, it was specifically indicated by the property owner that lighting on this site would be directed to the interior of the property and would not cause an inappropriate glare or reflection on the surrounding properties. It was also indicated that although a public address system was presently in place, it was rarely used and does not cause an inappropriate impact on surrounding properties. The judicious use of that equipment will continue and not be altered.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing and Petition for Special Exception. In my judgment, the submitted plan accurately reflects existing conditions and proposed improvements. The current use of the property, as well as the proposed renovations and improvements appear to be an appropriate land use in this vicinity. In this regard, the use is immediately adjacent to a major roadway which handles a significant traffic volume. Additionally, an adjacent property is owned by Baltimore County and proposed for similar recreational development. In sum, I believe that the proposed improvements and existing use of the property will not cause any detrimental impact on surrounding or adjacent properties. I find that the Petitioner has offered substantial proof to satisfy the requirements set forth in Section 502.1 of the BCZR. Specifically, I find that the proposed and existing use will not be detrimental to the health or general welfare of the locale.

ORDER RECEIVED FOR FILING

Date

By

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

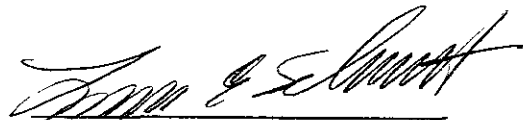
IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 15th day of September 1998 that, pursuant to the Petition for Special Hearing, approval to amend the Special Exception plan and Order approved in case 72-237-X, and revise the site boundary to reflect the parcel remaining, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Exception, approval to revise and update the facilities for the lighting of the miniature golf course, the driving range, the practice green, Par 3 golf course, batting cage and parking areas, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval of the submitted plan which adds 1.75 acres to the subject parcel granted special exception in case No. 72-237-X, be and is hereby GRANTED subject, however to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. All lighting on the property shall comply with all governmental regulations (e.g., Federal, State and/or local) and shall be directed in a manner so as to illuminate the subject property only and not cause any inappropriate glare or reflection onto neighboring properties or uses.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 9/15/98
By Mr. [Signature]

LES:mmm



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

September 11, 1998

Robert W. Cannon, Esquire
Weinberg and Green
100 S. Charles Street
Baltimore, Maryland 21201

RE: Petitions for Special Hearing and Special Exception
Case No. 99-32-SPHX
Thomas G. Mitchell, Legal Owner
Lessee: Mid Atlantic Golf/Reisterstown LLC, Petitioner

Dear Mr. Cannon:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Special Exception have been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

- c: Michael I. Gordon, Esquire
Gordon and Heneson, P.A.
One North Charles St., Suite 1900
Baltimore, Maryland 21201
- c: Mr. and Mrs. John T. Sindall
704 Earlton Road
Reisterstown, Maryland 21136
- c: Ms. Linda A. Langrall
101 Nob Hill Picture Drive
Reisterstown, Maryland 21136
- c: Mr. Stephen Perrault
708 Garaton Road
Reisterstown, Maryland 21136



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

Mitchell Drive, Westminster Road/Pike
and Interstate 795

which is presently zoned R.C. 3

This Petition shall be filed with the Office of Zoning Administration & Development Management.

and R.C. 4

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an amendment to Special Exception 72-237-X to revise the site boundary to reflect the parcel remaining after the State Highway taking for I-795; to revise ^{+update} the site layout to provide facilities as shown on the attached plat entitled "General Development Plan" and to permit the lighting of the miniature golf course, the driving range, the practice green, the par 3 course, the batting cage and the parking areas.

Property is to be posted and advertised as prescribed by Zoning Regulations.

XXXXXX
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Mid Atlantic Golf/Reisterstown LLC

(Type or Print Name)

Signature Managing Member

10908 Great Oak Way

Address

Columbia, Maryland 21044

City

State

Zipcode

Attorney for Petitioner:

Robert W. Cannon

(Type or Print Name)

Signature Robert W. Cannon

Weinberg & Green LLC

100 S. Charles Street (410) 332-8816

Address

Phone No.

Baltimore, MD

21201

City

State

Zipcode

Legal Owner(s):

Thomas G. Mitchell

(Type or Print Name)

Signature Thomas G. Mitchell

Signature

(Type or Print Name)

Signature

Michael I. Gordon, Esquire

c/o Gordon & Heneson, P.A.

One North Charles Street, Suite 1900

Address

Phone No.

Baltimore, MD

MD

21201

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Robert W. Cannon

Weinberg & Green LLC

Name 100 South Charles Street

Baltimore, MD 21201

(410) 332-8816

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

DROP OFF
No Review
7/20/98
401



99-32-SPHX



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

Mitchell Drive, Westminster Road/Pike
and Interstate 795

which is presently zoned R.C. 3
and R.C. 4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

the use as described in the attached plat entitled "General Development Plan" by adding the 1.75 acres which are the subject of this Petition to the remainder of 47.75 acres which was approved with a Special Exception in Case No. 72-237-X and which remains after a taking by the Maryland State Highway Administration of 3.32 acres which had been included in the original order. The original Special Exception is the subject of a Petition for Special Hearing of even date which proposes to change the permitted uses to the uses shown on the General Development Plan. The requested Special Exception uses will not create any of the circumstance or conditions outlined in Section 502.1 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

Lessee agrees to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

Mid Atlantic Golf/Reisterstown LLC
(Type or Print Name)

David S. P.
Signature Managing Member

10908 Great Oak Way
Address

Columbia, Maryland 21044
City State Zipcode

Attorney for Petitioner

Robert W. Cannon
(Type or Print Name)

Robert W. Cannon
Signature

Weinberg & Green LLC
100 S. Charles Street (410) 332-8816

Baltimore, MD 21201
City State Zipcode

Legal Owner(s)

Thomas G. Mitchell
(Type or Print Name)

Thomas G. Mitchell
Signature

(Type or Print Name)

Signature Michael I. Gordon, Esquire
c/o Gordon & Heneson, P.A.
One North Charles Street, Suite 1900
Address Phone No

Baltimore, MD 21201
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

Robert W. Cannon
Weinberg & Green LLC
Name 100 South Charles Street
Baltimore, MD 21201 (410) 332-8816
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE

99-32-SPHX

DROP OFF
NO REVIEW

7/20/98



ZONING DESCRIPTION

Special Exception Application

Mid-Atlantic Golf/Reisterstown LLC

(formerly Tom Mitchell Golf Gridiron)

Tax Map 48, Grid 3, Parcel 1063

Beginning at a point on the South side of Mitchell Drive, 600 feet East of the intersection with Southbound MD 140, said point being approximately 144 feet South of MD 140 at the Eastern end of Mitchell Drive, thence the following courses and distances:

- | | | | | | |
|----|---|----|---------|---|----------|
| 1. | S | 48 | 57' 33" | E | 396.4 ft |
| 2. | N | 59 | 06' 08" | E | 175.1 ft |
| 3. | N | 32 | 25' 41" | W | 203.3 ft |
| 4. | N | 69 | 54' 21" | W | 236.2 ft |
| 5. | S | 55 | 10' 00" | W | 144.3 ft |

to the point of beginning, being a portion of the property conveyed By State Highway Administration to Thomas G. Mitchell by deed dated December 10, 1985 and recorded among the land records of Baltimore County at Liber 7051, Folio 398, containing approximately 1.75 acres of land, more or less. Also known as 301 Mitchell Drive, Reisterstown, MD in the 4th Election District.

Note: This description has been prepared for zoning purposes only and is not intended to be used for the transfer or conveyance of land.

By: Mark B. Weber

Mark B. Weber, P.E. 8539

Date: 7/15/98

ZONING DESCRIPTION

Amendment to Special Exception 72-237-X

Mid-Atlantic Golf/Reisterstown LLC

(formerly Tom Mitchell Golf Gridiron)

Tax Map 48, Grid 9, Parcel 1024 and Parcel 664

Beginning at a point on the South side of Mitchell Drive, 600 feet East of the intersection with Southbound MD 140, said point being approximately 144 feet South of MD 140 at the Eastern end of Mitchell Drive, thence the following courses and distances:

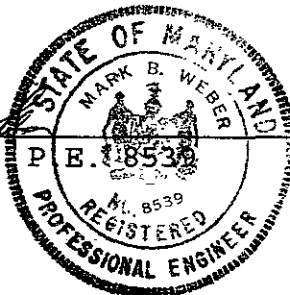
1.	S	48	57'	33"	E	396.4 ft
2.	N	59	06'	08"	E	175.1 ft
3.	S	37	02'	08"	E	254.5 ft
4.	S	24	37'	51"	E	182.1 ft
5.	S	08	47'	21"	W	157.1 ft
6.	S	14	28'	34"	E	105.7 ft
7.	S	32	29'	05"	E	12.5 ft
8.	S	03	21'	17"	E	29.6 ft
9.	S	35	44'	22"	E	27.0 ft
10.	S	30	09'	32"	E	50.3 ft
11.	S	10	15'	15"	W	695.8 ft
12.	S	86	52'	00"	W	117.8 ft
13.	S	16	04'	00"	W	417.6 ft
14.	N	84	51'	00"	W	1084.0 ft
15.	N	10	07'	00"	E	1636.5 ft
16.	N	57	15'	00"	E	119.6 ft
17.	N	55	10'	00"	E	387.8 ft

to the point of beginning, being a portion of the property conveyed by The Hauswald Bakery to Thomas G. Mitchell by deed dated June 22, 1972 and recorded among the land records of Baltimore County at Liber 5277, Folio 325, and the Baltimore Gas and Electric Company right-of-way through the Thomas G. Mitchell parcel, containing approximately 47.75 acres of land, more or less. Also known as 301 Mitchell Drive, Reisterstown, MD in the 4th Election District.

Note: This description has been prepared for zoning purposes only and is not intended to be used for the transfer or conveyance of land.

By: Mark B. Weber

Mark B. Weber, P.E.



Date: 7/13/98

tmd1

99.32-SPHX

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 055912

DATE 7/20/98 ACCOUNT 001-6150
AMOUNT \$ 550.00 (WCR)

RECEIVED FROM: Weinberg & Green

FOR: SPECIAL HEARING & SPECIAL EXCEPTION

Item #32 Case #99-32-SPHX
Drop-Off - No Review

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
7/23/1998 7/23/1998 11:28:30

REG NO05 CASHIER LSWI LXS DRIVER

6 MISCELLANEOUS CASH RECEIPT

Receipt # 065864

CR NO. 055912

550.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-32-SPHX
SW/S Westminster Road (MD Rt. 140), SE/end, Mitchell Drive; also NW/S of I-795
4th Election District
3rd Councilmanic District
Legal Owner(s):

Thomas G. Mitchell
Contract Purchaser: Mid-Atlantic Golf/Reisterstown LLC
Special Hearing: to approve an amendment to special exception 72-237-X to revise the site boundary; to revise and update the site layout to provide facilities as shown on the plat; and to permit the lighting of the miniature golf course, the driving range, the practice green, the par 3 course, the batting cage, and the parking areas.

Special Exception: for golf course par 3, miniature golf, driving range, batting cages, practice/putting green, and other accessory and auxiliary uses.

Hearing: Thursday, September 3, 1998 at 10:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

8/184 August 13 C250802

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/13/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/13/, 1998

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE: Case No.: 99-32-SPN X

Petitioner/Developer: THOMAS G. MITCHELL

MID ATLANTIC GOLF/REISTERSTOWNVILLE

Date of Hearing/Closing: 9-3-98

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at MITCHELL DRIVE

SOUTH OF WESTMINSTER PIKE AT ROUTE 795

The sign(s) were posted on AUG. 18, 1998
(Month, Day, Year)

Sincerely,

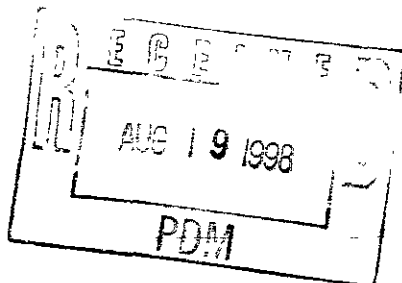
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)





ZONING NOTICE

CASE # 99-32-SPHX

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407, COUNTY COURTS BLDG.
PLACE: 401 BOSLEY AVE. TOWSON, MD.

THURSDAY, SEPTEMBER 3, 1998
DATE AND TIME: 10:00 A.M.

SPECIAL HEARING TO APPROVE AN AMEND-
REQUEST: MENT TO SPECIAL EXCEPTION 72-23T-X TO
REVISE THE SITE BOUNDARY, TO REVISE AND UPDATE THE
SITE LAYOUT TO PROVIDE FACILITIES AS SHOWN ON THE PLAT,
AND TO PERMIT THE LIGHTING OF THE MINIATURE GOLF
COURSE, THE DRIVING RANGE, THE PRACTICE GREEN,
THE PAR 3 COURSE, THE BATTING CAGE, AND THE
PARKING AREAS. SPECIAL EXCEPTION FOR GOLF COURSE
PAR 3, MINIATURE GOLF, DRIVING RANGE, BATTING
CAGES, PRACTICE/POTTING GREEN, AND OTHER ACCESSORY
AND AUXILIARY USES.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-32-SPHX

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE AN AMENDMENT
TO SPECIAL EXCEPTION 72-237-X TO REVISE THE SITE
BOUNDARY; TO REVISE AND UPDATE THE SITE LAYOUT
TO PROVIDE FACILITIES AS SHOWN ON THE PLAT; AND TO
PERMIT THE LIGHTING OF THE MINIATURE GOLF COURSE,

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. 
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

THE DRIVING RANGE, THE PRACTICE GREEN, THE
PAR 3 COURSE, THE BATTING CAGE, AND THE PARKING
AREAS. SPECIAL EXCEPTION FOR GOLF COURSE
PAR 3, MINIATURE GOLF, DRIVING RANGE,
BATTING CAGES, PRACTICE/POTTING GREEN, AND
OTHER ACCESSORY AND AUXILLARY USES.

TO: PATUXENT PUBLISHING COMPANY
August 13, 1998 Issue - Jeffersonian

Please forward billing to:

Robert W. Cannon, Esquire
Weinberg & Green, LLC
100 S. Charles Street
Baltimore, MD 21201

410-332-8816

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-32-SPHX

SW/S Westminster Road (MD Rt. 140), SE/end Mitchell Drive; also NW/S of I-795

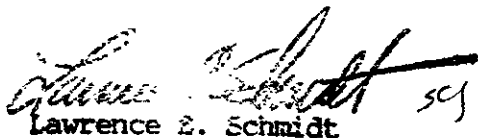
4th Election District - 3rd Councilmanic District

Legal Owner: Thomas G. Mitchell

Contract Purchaser: Mid Atlantic Golf/Reisterstown LLC

Special Hearing to approve an amendment to special exception 72-237-X to revise the site boundary; to revise and update the site layout to provide facilities as shown on the plat; and to permit the lighting of the miniature golf course, the driving range, the practice green, the par 3 course, the batting cage, and the parking areas. Special Exception for golf course par 3, miniature golf, driving range, batting cages, practice/putting green, and other accessory and auxiliary uses.

HEARING: Thursday, September 3, 1998 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 3, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-32-SPHX


SW/S Westminster Road (MD Rt. 140), SE/end Mitchell Drive; also NW/S of I-795
4th Election District - 3rd Councilmanic District

Legal Owner: Thomas G. Mitchell

Contract Purchaser: Mid Atlantic Golf/Reisterstown LLC

Special Hearing to approve an amendment to special exception 72-237-X to revise the site boundary; to revise and update the site layout to provide facilities as shown on the plat; and to permit the lighting of the miniature golf course, the driving range, the practice green, the par 3 course, the batting cage, and the parking areas. Special Exception for golf course par 3, miniature golf, driving range, batting cages, practice/putting green, and other accessory and auxiliary uses.

HEARING: Thursday, September 3, 1998 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

c: Robert W. Cannon, Esquire
Thomas G. Mitchell
Mid Atlantic Golf/Reisterstown LLC

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 19, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 26, 1998

Robert W. Cannon, Esq.
Weinberg and Green, LLC
100 S. Charles Street
Baltimore, MD 21201

RE: Item No.: 32
Case No.: 99-32-SPHX
Location: Mitchell Drive,
Westminster Road/Pike and
Interstate 795

Dear Mr. Cannon:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 20, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 7-31-94 ✓
Item No. 032 WCR

Dear Ms. Stephens:

WE have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 140 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein At 410-545-5606 or By E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

L. J. Arnold
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Date: August 18, 1998

TO: Arnold Jablon

FROM: R. Bruce Seeley *RS/JP*

SUBJECT: Zoning Item #32

Golf Center at Reisterstown

Zoning Advisory Committee Meeting of August 3, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 12, 1998

FROM: *Sub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 10, 1998
Item Nos. 027, 028, 031, 032, 033,
035, 036, 037, 038, 039, 040, 041,
043 and Case No. 99-16-SPHA from 7/23/98

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

ZONE810.NOC



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

AUGUST 7, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ESCO, LTD. 043
424 VA/TOWSON LIMITED PTNP. USE PERMIT
ELDEN E. LEBRUN AND GERALDINE D. LEBRUN 042
EDGEMERE FREE METHODIST CHURCH 034
THOMAS G. MITCHELL 032
HOLSAN DEVELOPMENT CORPORATION 028

Location: DISTRIBUTION MEETING OF AUGUST 3, 1998

Item No.: 028, 032, 034, 042, USE PERMIT Zoning Agenda:
043

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F



h
9/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: August 19, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

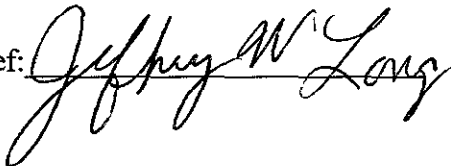
SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 32, 55, 57, 59, 62, and 66

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3480.

Section Chief:



AFK/JL

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
Mitchell Drive, Westminster Road/Pike and Interstate
795, SW/S Westminster Rd (MD Rte. 140), SE/end
Mitchell Dr; also NW/S of I-795, 4th Election
District, 3rd Councilmanic

Legal Owners: Thomas G. Mitchell
Contract Purchaser: Mid Atlantic Golf /
Reisterstown LLC
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case Number: 99-32-SPHX

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August, 1998, a copy of the foregoing Entry of Appearance was mailed to Robert W. Cannon, Esq., Weinberg & Green, 100 S. Charles Street, Baltimore, MD 21201, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 23, 1998

Robert W. Cannon, Esquire
Weinberg & Green, LLC
100 South Charles Street
Baltimore, MD 21201

RE: Drop-Off Petition
Case Number 99-32-SPHX
Legal Owner: Thomas Mitchell
4th Election District

Dear Mr. Cannon:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the sign posting, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosure





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 12, 1998

Robert W. Cannon, Esquire
Weinberg & Green LLC
100 S. Charles Street
Baltimore, MD 21201

99-32-SPHX

Dear Mr. Cannon:

RE: Drop-Off Petition Review (Item #32), Mitchell Drive, 4th Election District

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

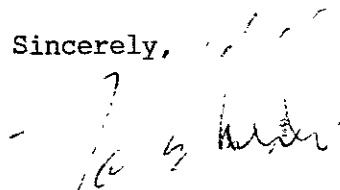
- NW 116 & 17K
R.D.P. & B.C.
1. Original hearing #72-237-X (attached) allowed all uses in ~~R.C.-3~~ zones. Miniature golf and proposed batting cage are R.C.-4 zone in part. A special hearing is required to approve these uses in R.C.-4 zone because they are not uses listed in R.C.-4.
 2. Parking is allowed by right and a golf course is allowed by special exception. Golf courses and driving ranges, miniature golf and baseball batting ranges are specifically allowed by special exception (1A02.2.B.12 and 13, of the Baltimore County Zoning Regulations).
 3. Parking should be calculated as follows: golf course - 8 spaces per hole x 18 holes; golf driving range and miniature golf - 1.5 spaces per tee; and batting cage - 1.5 spaces per station.



Robert W. Cannon, Esquire
August 12, 1998
Page 2

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,



John R. Alexander
Planner II, Zoning Review

JRA:rye

Enclosure (receipt)

c: Zoning Commissioner
zoning case #72-237-X

Item #32 (Revision on Review Letter)

1.) The Original Hearing #72-237-X
(MAPS #16 & 17-K) Allowed The Uses of Golf Course,
'Pitch & Put' Driving Range & 'Pro Shop',
in an R.D.P. Zone with Parking
in B.C. & R.D.P. The Batting Cage
was not mentioned at all in the
case, but are shown on one of
the site plans in the original hearing
file, & ^{also} appear to be in both zones.
The zoning lines & categories
have subsequently been changed
however the use is in character &
continuous use.

Therefore a Special Hearing will
be required to amend the new
site boundary & reconfiguration
of the facilities layout, &
to request an extension of
the lot area over what was
specifically limited in the
original hearing.

The Special Exception will
be to include additional property
not included in the original project.
2.) Parking calculations should
be revised to reflect the expansion
& reconfiguration of the proposed

FACILITIES AS FOLLOWS -

8 SPACES PER HOLE X 18 HOLES FOR THE GOLF COURSE, &

1.5 SPACES PER TEE FOR THE GOLF DRIVING RANGE & MINIA-TURE GOLF COURSE, AND 1.5 SPACES PER STATION FOR THE GOLF DRIVING RANGE.

FACILITIES AS FOLLOWS.

8 SPACES PER HOLE X 18 HOLES FOR THE GOLF COURSE,

1.5 SPACES PER TEE FOR THE GOLF DRIVING RANGE & MINIA-LUTE GOLF COURSE, AND
1.5 SPACES PER STA-LLOW FOR THE GOLF DRIVING RANGE.

32

WEINBERG & GREEN LLC

ATTORNEYS AT LAW

100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773

410/332 8600

ROBERT W. CANNON
410/332 8816
FACSIMILE 410/332 8817
rwcannon@wglaw.com

FILE NUMBER
45453.1

July 17, 1998

BY HAND DELIVERY

Mr. W. Carl Richards, Jr.
Supervisor, Zoning Review
Baltimore County Department of Permits
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: The Golf Center at Reisterstown formerly Tom Mitchell Golf

Dear Carl:

Enclosed you will find the filing package which includes the Petition for Special Exception, the Petition for Special Hearing, the filing fees and the accompanying materials. This is being forwarded to you pursuant to our conversation.

The time to obtain signatures on the Petitions has taken us 3 days beyond our filing deadline. Please extend this on the enclosed copy of the March 16, 1998 letter as previously amended on June 24, 1998 and return one copy to me in the enclosed self-addressed stamped envelope.

Please let me know if you have any questions or if there is any additional information you need.

Sincerely yours,



Robert W. Cannon

205889:DS13:4ev5_1/0081/pag

cc: Mr. Mark Weber
Mr. Doug Rice

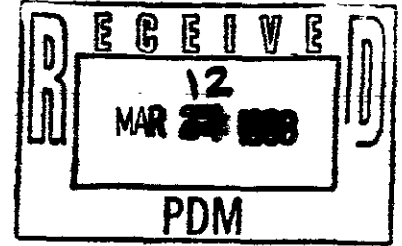
99-32-SPHX

WEINBERG & GREEN LLC

ATTORNEYS AT LAW

100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773

410/332 8600



ROBERT W. CANNON
410/332 8816
FACSIMILE 410/332 8817
CANNONRW.W&G@MCMAIL.COM

FILE NUMBER
45453.1

March 12, 1998

BY HAND DELIVERY

Baltimore County Department of Permits
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Mr. W. Carl Richards

Re: The Golf Center at Reisterstown formerly Tom Mitchell Golf

Dear Carl:

This letter is a follow up to the meeting which you had with Mark Weber of Chisholm Weber Associates and our telephone conversation. This letter is a request for zoning analysis to be followed up by application for Development Review Committee approval of a Redline Plan. It is also contemplated that we would file Petitions for a Special Hearing to amend the prior Special Exception and for a Special Exception to cover the material changes to the project which are contemplated as a second phase of this project.

The original approval for the site took place with Special Exception 72-237-X and was granted on 4/24/72 with an Amended Order on 4/28/72. Subsequently, the Maryland State Highway Administration (MSHA) took right-of-way for MD 140 and I 795 and conveyed a small parcel of additional land to the owner. This affected the site layout.

The purpose of this letter is to request a zoning analysis to show that the items shown on the attached Redline Plan are within the spirit and intent of the Special Exception. The changes contemplated are required by the changes in layout as a result of the MSHA taking and related matters and are relatively minor and are as follows:

The Phase A improvements include:

1. Removal of one batting cage and the existing covered tees to permit installation of a 250 foot long covered tee structure containing 25 hitting stations.
2. Construction of 37 additional parking spaces.
3. Taking 18 holes of miniature golf out of play to remodel the components.
4. Apply for and obtain grading and building permits and proceed with Phase A improvements.

After a favorable zoning analysis, step 2 in the process is to apply for Development Review Committee (DRC) approval of these changes.

Step 3 of the process contemplates material changes and would be the subject matter of the Petition for Special Hearing and Special Exception.

Please let me know if you have any questions or if there is any additional information that can be supplied.

Sincerely yours,

Bob Cannon

Robert W. Cannon

4th Election District

March 16, 1998

**Speed
Letter**

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



The instant Phase I minor changes to the existing plan: (1) reduction of the approved and expansion of the existing driving tees, (2) additional parking spaces, and (3) remodel the miniature golf, may be approved as being within the spirit and intent of the original plan and order in zoning case no. 72-237-X. Obviously, the taking by MSHA for I-795 and MD 140 changed the plan and the existing and proposed improvements must all be documented and approved through a zoning hearing. Phase I approval is subject to the following: (1) that an application for a special hearing be filed within 90 days to amend the plan and a special exception for the area not included on the original plan, and (2) that the first phase be limited to the original special exception area.

*30-day extension granted to file zoning petitions.

W. Carl Richards, Jr.

W. CARL RICHARDS, JR.

6/24/98

W. Carl Richards, Jr.
Supervisor, Zoning Review

92-32-SPHX

99-32-SPHX

Pouy Rice -

Mark Weber - Engineers

~~9/9/99~~

State took 3 acres
✓ traded back

49.5 acres then
51.07 acres in prior
core

Site conditions -

~~1st~~ 3 Step -

1st ^{step} is to review existing
conditions

2nd Step - DRC - ~~approval~~
granted approval as conditions
as exist

3rd -

Mid Atlantic Belf acquired ~~1998~~
Brenners in 1998 -

proposed ^{approved} ~~RDP~~ when zoned RDP

RC-3 & RC-4

Carl Richards -

complies w/ parking requirements
if needed variance -

street ~~239~~ spaces
provides 197

required 192 in old
req.

Variance of 42

original spec. -

See Table

there are actually 54
9 holes

putting green - 3000 sq ft
now
10 batting stations

phase A was approved
by DRC -

Doug Rice -

operates

lessee since 1/1/98

parting well not be

detrimental - runs thru 502.1

~~with~~ Mark Weber -

runs thru 502.1

Weber -

Steve Brault -

Public address system now -
used rarely -

Double Deck - 14 feet high

lighting on driving range
will not change

public address -

HRS - of operation no charge

lights ~~can~~^{is} be ~~directed~~ directed -
no inappropriate glare
or
reflection -

add in an order -

John Sandel -

lighted

SHA. -

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Peggy SINDALL
JOHN T SINDALL

LINDA ABATE LANGRALL

STEPHEN PERRAULT

704 EARLTON Rd
704 EARLTON RD
REISTERSTOWN MD 21136

101 NOB HILL PIC. DR.
REISTERSTOWN MD 21136

708 EARLTON RD
REISTERSTOWN, MD 21136



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

ROBERT W. CANNON
Douglas S. Rice
Don King
Mark Weber

100 SOUTH CHARLES ST 21201
10902 Great Oak Way Col, MD 21044
22 HUNT CUP CO. DUNINGS MILLS
2601 Riva Rd, Suite 320 Annapolis, MD 21401



72-2-37-X PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, THE HAUSWALD BAKERY legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition you for a zoning re-classification and/or special exception to the following:

N.A.

N.A.

NOT APPLICABLE

See attached description

MAP	12
SECTION	1
DATE	4/24/72
FILE	
REASON	X
BY	ALL
DATE	4/24/72

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Golf driving range, Miniature Golf Course, Par Three Golf Course, Pitch and Putt Golf Course and accessory and auxiliary uses thereto (auto shop, etc.)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Thomas M. Schell
Contract purchaser

Address 1007 BOYCE AVENUE
Ruxton, Maryland 21204

James D. Nolan
Petitioner's Attorney

Address 204 W. Pennsylvania Ave.
Phone: 823-7800 Towson, Md. 21204

THE HAUSWALD BAKERY

by John E. Hauswald, Jr.
Address 2823 Edmondson Ave. 21223

Proponent's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of March 1972, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 12th day of April 1972, at 10:00 o'clock

County, on the 12th day of April 1972, at 10:00 o'clock

By John E. Hauswald, Jr.
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR A SPECIAL EXCEPTION
SW/S of U. S. Route
(Westminster Pike)
of Main Street - 40
The Hauswald Bakery
NO. 72-237-X (Item

It is hereby

Baltimore County, this
and April 24, 1972, per
Paragraph 3, Line 6, 7.

The
and the go
and, there

U.S. RECEIVED FOR FILING

4/24/72

BY John E. Hauswald, Jr.

(301) 833-3310

Sheet 1 of 2

WILLIAM T. SADLER
Professional Land Surveyor
22510 Terrytown Drive
Reisterstown, Maryland 21136

DESCRIPTION OF
A PORTION OF THE PROPERTY OF
THE HAUSWALD BAKERY

4th Precinct District, Baltimore County, Maryland

thence leaving the land of
Adjacent to the land of
in the County of Baltimore

thence leaving the land of
Adjacent to the land of
in the County of Baltimore

RE: PETITION FOR A SPECIAL EXCEPTION
SW/S of U. S. Route 140
(Westminster Pike) 2700' NW
of Main Street - 4th District
The Hauswald Bakery - Petitioner
NO. 72-237-X (Item No. 142)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 28th day of April, 1972, that the original Order dated April 24, 1972, passed in the above captioned matter, on Page 1 and 2, paragraph 3, Line 6, 7, and 8 is hereby Amended to read as follows:

"The pitch and putt course, miniature golf course and the golf driving range will be the only areas lighted, and, therefore, the only areas in use after dark."

James S. R.
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE 4/24/72
BY [Signature]

RE: PETITION FOR A SPECIAL EXCEPTION
SW/S of U. S. Route 140
(Westminster Pike) 2700' NW
of Main Street - 4th District
The Hauswald Bakery - Petitioner
NO. 72-237-X (Item No. 142)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a Special Exception for a Golfing Complex to be located on the south side of Westminster Road twenty-seven hundred feet (2700') northwest of Main Street.

Mr. Thomas Mitchell testified as the contract purchaser and sole stockholder of the proposed Golfing Complex. The complex is proposed to contain a golf driving range, a nine hole four par executive course, a nine hole pitch and putt course, and a miniature golf course. Mr. Mitchell indicated that the site which contains 51.07 acres is rolling in topography and is traversed by a stream along the southern portion of the property which makes the site, more or less, perfect for his uses. Very little grading will be required. The property has two hundred and twenty-one feet (221') of frontage on Westminster Pike, which will provide access to a one hundred (100) car parking lot to be located on the northern end of the property adjacent to a commercially zoned tract. The complex will include a pro shop and will have a professional golfer in attendance for consultation and advice, however, Mr. Mitchell will personally supervise the overall operation.

Mr. Lawrence G. Paglia, a site planner and landscape architect who specializes in golf courses, also testified in behalf of the Petitioner. Mr. Paglia substantiated Mr. Mitchell's testimony with regard to the adaptation of the site for golfing purposes. He also indicated that traffic problems will be held to a minimum because the peak use hours of the course occur at a time when the traffic on the surrounding roads is at a minimum. The pitch

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNunno, Zoning Commissioner Date: April 12, 1972

FROM: Leslie H. Graef, Deputy Director of Planning

SUBJECT: Petition #72-237-X, Southwest side of U.S. Route 140 (Westminster Pike) 2700 feet Northwest of Main Street in Reisterstown. Petition for Special Exception for Golf Driving Range, Miniature Golf Course, Par Three Golf Course, Pitch and Putt Golf Course The Hauswald Bakery - Petitioner

4th District

HEARING: Wednesday, April 12, 1972 (10:00 A.M.)

The Office of Planning and Zoning has reviewed and has the following comments:

aving the lands of Harvey and running with the lands of said Jewish Charities of Baltimore and with the 3rd, 4th and part lines of said deed from Best to The Hauswald Bakery,

in 10 degrees 07 minutes East 1636.5 feet,
in 37 degrees 17 minutes East 119.6 feet and
in 55 degrees 10 minutes East 387.8 feet to a point, thence leaving
s of the whole tract and running with a line 600 feet distant and
the center of U. S. Route 140

40 degrees 16 minutes East 393.57 feet to a point, thence running
in 55 degrees 10 minutes East 560.25 feet to a point on the Southwest
Route 140 (Westminster Pike), thence Southeasterly along the side

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

... ..

Special Exception for a Golfing
Westminster Road twenty-seven
...
... as the contract purchaser and
... nplex. The complex is proposed
... our par executive course, a nine
... golf course. Mr. Mitchell in-
... res is rolling in topography and
... a portion of the property which
... s uses. Very little grading will
... and twenty-one feet (21') of
... ovide access to a one hundred
... them end of the property adjacent
... x will include a pro shop and will
... consultation and advice, how-
... e the overall operation.
... ite planner and landscape architect
... ed in behalf of the Petitioner.
... timony with regard to the adapta-
... o indicated that traffic problems
... se hours of the course occur at
... ads is at a minimum. The pitch

ORDER RECEIVED FOR FILING

DATE 4/24/72

BY J. J. HARRIS

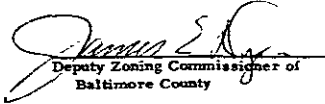
and putt course and the golf driving range will be the only areas lighted and, therefore, the only areas in use after dark. The hours of operation are expected to be from 9:00 A. M. to 5:00 P. M. during the winter months, and from 9:00 A. M. to 12:00 P. M. during the summer months.

Mr. Frederick P. Klaus, a real estate expert, testified in behalf of the Petitioner. He stated that the subject property is presently zoned R.D.P., however, the surrounding areas do include some commercial uses. The use as proposed would provide a park-like atmosphere with the surrounding residential area and would, therefore, be a compatible use with regard to the existing and/or future developments that may occur in the area. Mr. Klaus also felt that there would be no traffic problems and that the proposed use meet all the requirements set forth in Section 502.1 of the Zoning Regulations.

The Petitioner's development plans have been revised and are substantially in accord with the comments of the Zoning Advisory Committee.

After reviewing all aspects of the case, it is the opinion of the Deputy Zoning Commissioner, that the Petitioner's request is in harmony with the general purposes and intent of the Zoning Regulations, and that all requirements of Section 502.1 have been met.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24th day of April 1972, that the above Special Exception for a Golfing Complex as described above, is hereby Granted subject to approval of a site plan by the Bureau of Public Services, State Highway Administration, Health Department, and the Office of Planning and Zoning.


Deputy Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna
FROM: Attn: Oliver L. Myers
Michael S. Flanigan
SUBJECT: Item 142 - ZAC - February 29, 1972
Property Owner The Hauswald Bakery
Westminster Pike NW of Main Street
Special exception for golf driving range,
miniature golf, par 111, accessory uses
thereto

Date March 15, 1972

12, 1972

Westminster Pike

GENERAL DEVELOPMENT PLAN

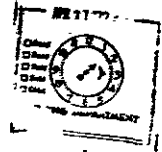
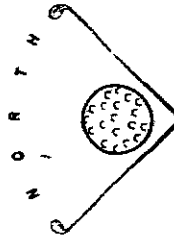
TOM MITCHELL'S GOLF GRIDIRON

REISTERSTOWN

BALTIMORE COUNTY

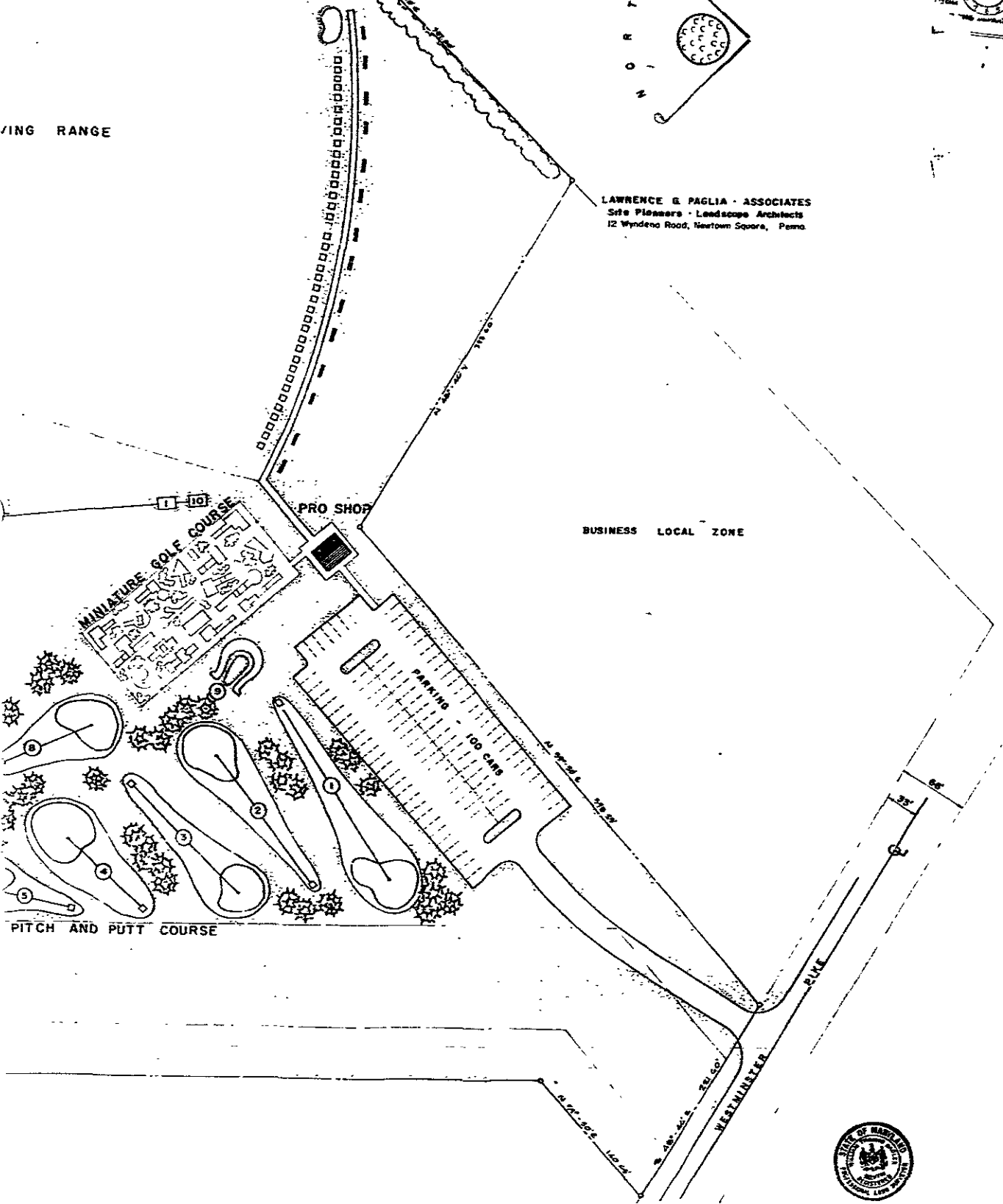
MARYLAND

SCALE 1" = 50'



LAWRENCE G. PAGLIA - ASSOCIATES
Site Planners - Landscape Architects
12 Wyndona Road, Newtown Square, Pemo.

DRIVING RANGE



The Golf Center at Reisterstown

9/3/98

Special Exception Amendment Application

Revised Site Condition Tabulation

SITE CONDITIONS

	<u>Existing Conditions</u>	<u>Original Special Excpt</u>	<u>Proposed Amendment</u>	<u>Proposed Phase A</u>
Area	49.5 ac	51.07 ac	49.5 ac	49.5 ac
Parking	100 sp	100 sp	197 sp	137 sp
Driving Line	250 ft	250 ft	250 ft	250 ft
Length	250 yd	250 yd	250 yd	250 yd
Covered Tees	12	none	50 (2 level)	25
Total Tees	24	40	50	25
Mini Golf	54 hole	18 hole	54 hole	36 hole
Pitch & Putt	none	9 hole	none	none
Par 3	9 hole	18 hole	9 holes	9 hole
Putting Green	yes	none	5,000 sf	exist
Batting Cage	10 sta	none	6 sta	3 sta
Structures	Concession	Pro Shop	Club House	Conces
Lighting	Mini-Golf Driving Parking	Mini-Golf Driving Pitch & Putt	Mini-Golf Driving Parking Batting Practice Par 3	Mini-G Driving Parking Batting

Ref No 2

Mark B. Weber, P.E.
1331 Argyll Drive
Arnold, MD 21012
(410) 647-6887

*Not
No 3*

EDUCATION: B.S. University of Delaware - 1967
West Virginia Technical Institute
Engineering Graduate Courses

AFFILIATIONS: Registered Professional Engineer - Maryland
Member American Society of Civil Engineers

PROFESSIONAL EXPERIENCE:

1991-Present Chisholm Weber Associates
Crofton, MD

Partner in engineering firm specializing in planning, subdivision, and design of land development projects. Management of personnel, project schedules, and coordination with clients. Provide technical expertise, expert testimony, and project leadership for residential, commercial, and industrial development projects. Interface with clients and regulatory agencies to expedite projects.

1990-1991 John E. Harms, Jr. & Associates, Inc
Pasadena, MD

Negotiated land development contracts for residential and commercial properties. Evaluated financial and technical feasibility of construction and development projects. Prepared development schedules and construction cost estimates.

1983-1990 Leimbach Development Corporation
Glen Burnie, MD

Managed commercial, residential, and landfill projects from concept to start of construction. Prepared feasibility analysis, cost estimates, and project schedules to identify critical path issues. Expedited review and approval process, supervised consultants, made presentations at community meetings, and provided expert witness testimony at hearings.

1973-1983 C. D. Messick, Jr. & Associates, Inc.
Annapolis, MD

Led design team and managed personnel to provide engineering services on County Capital Projects, residential subdivisions, and commercial projects. Prepared feasibility studies, site plans, grading plans, and cost estimates. Designed roads, utilities, storm drain systems, storm water management systems, and hydraulic models of watersheds.

Mark B. Weber

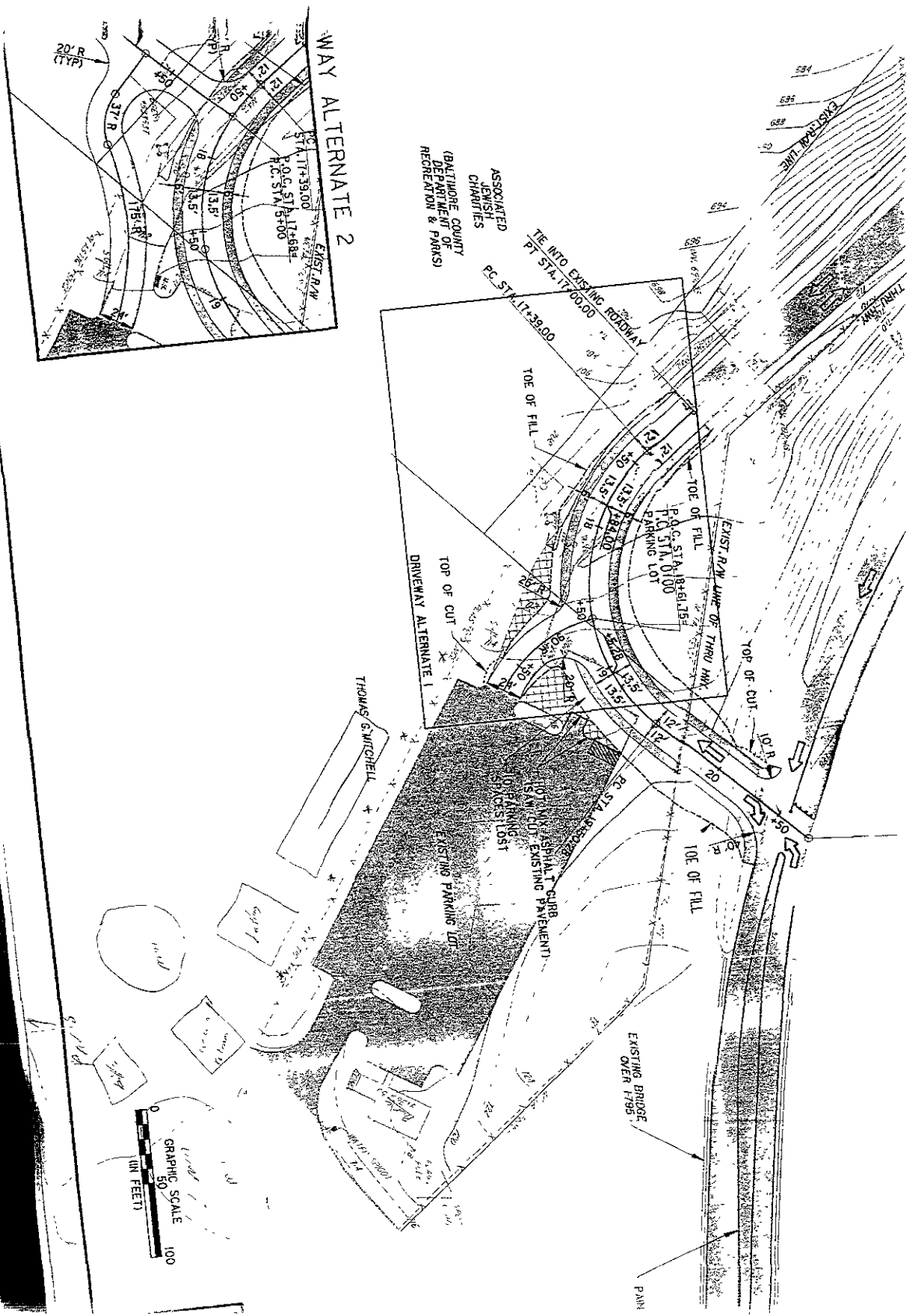
Page 2

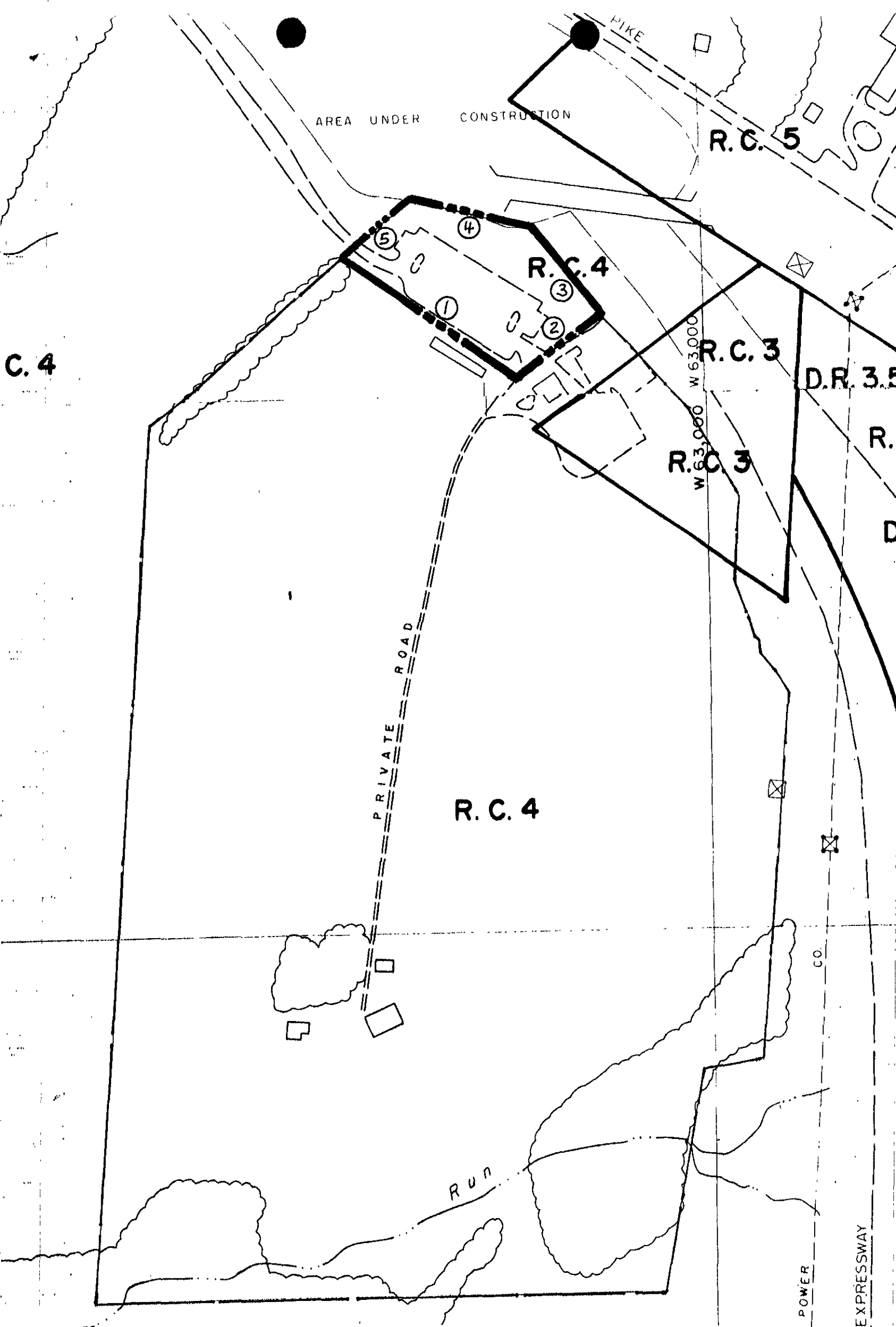
1971-1973 Anne Arundel County
Utility Design Division
Annapolis, MD

Project engineer for water supply and waste water treatment capital projects. Managed engineering consultants and reviewed design work for compliance with design standards. Represented County at community meetings and responded to public inquiries concerning capital projects.

1967-1971 Union Carbide Corporation
Charleston, WV

Designed structures and storm water drainage systems for chemical plant facilities. Designed fly ash disposal facilities, performed site layout for new and existing plants, and coordinated with team members.



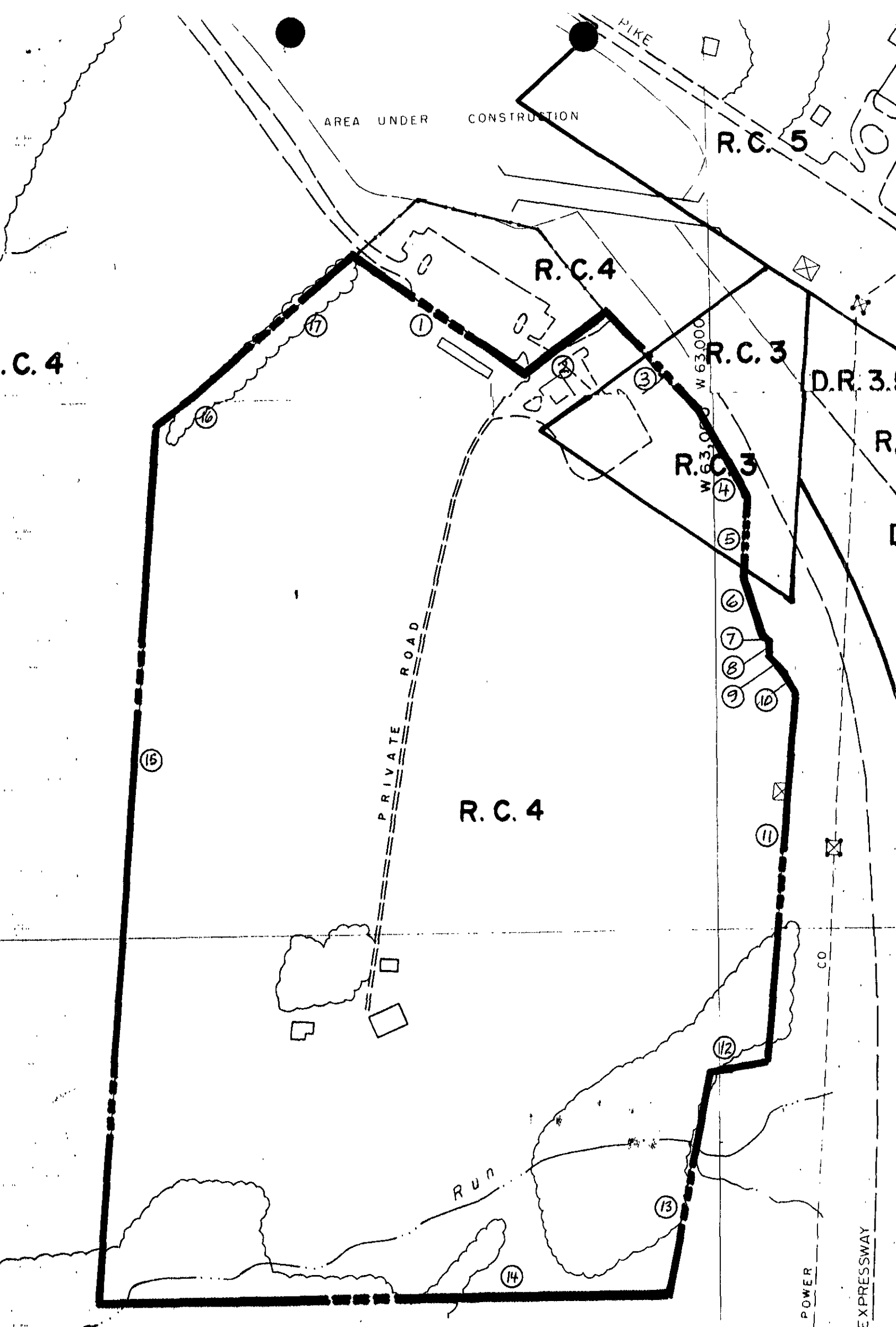


Special Exception Application

MID-ATLANTIC GOLF/REISTERSTOWN LLC

Zoning Map N.W. 17-K

99.32-SPHX

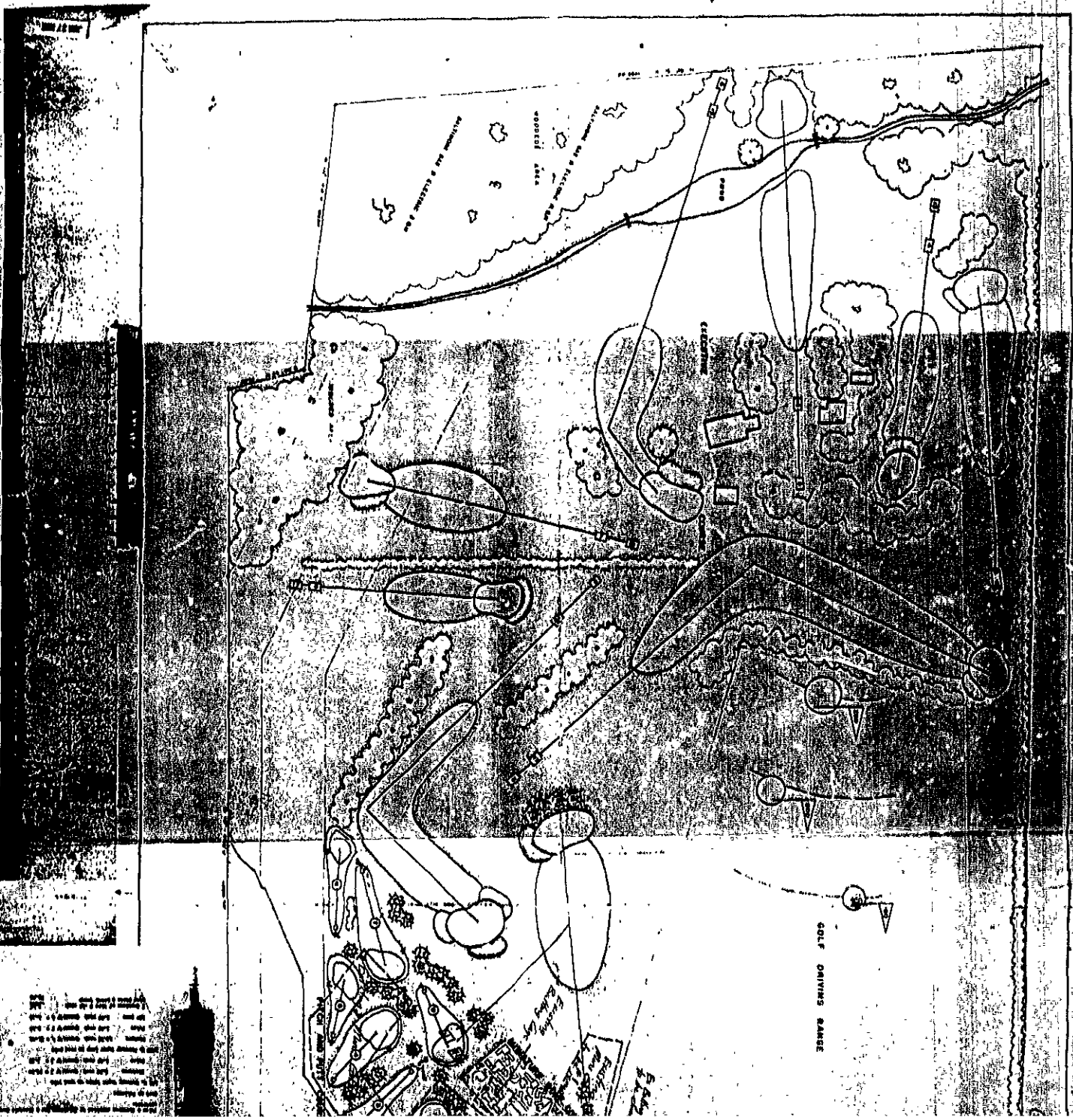


Amendment to Special Exception 72-237-X

MID-ATLANTIC GOLF/REISTERSTOWN LLC

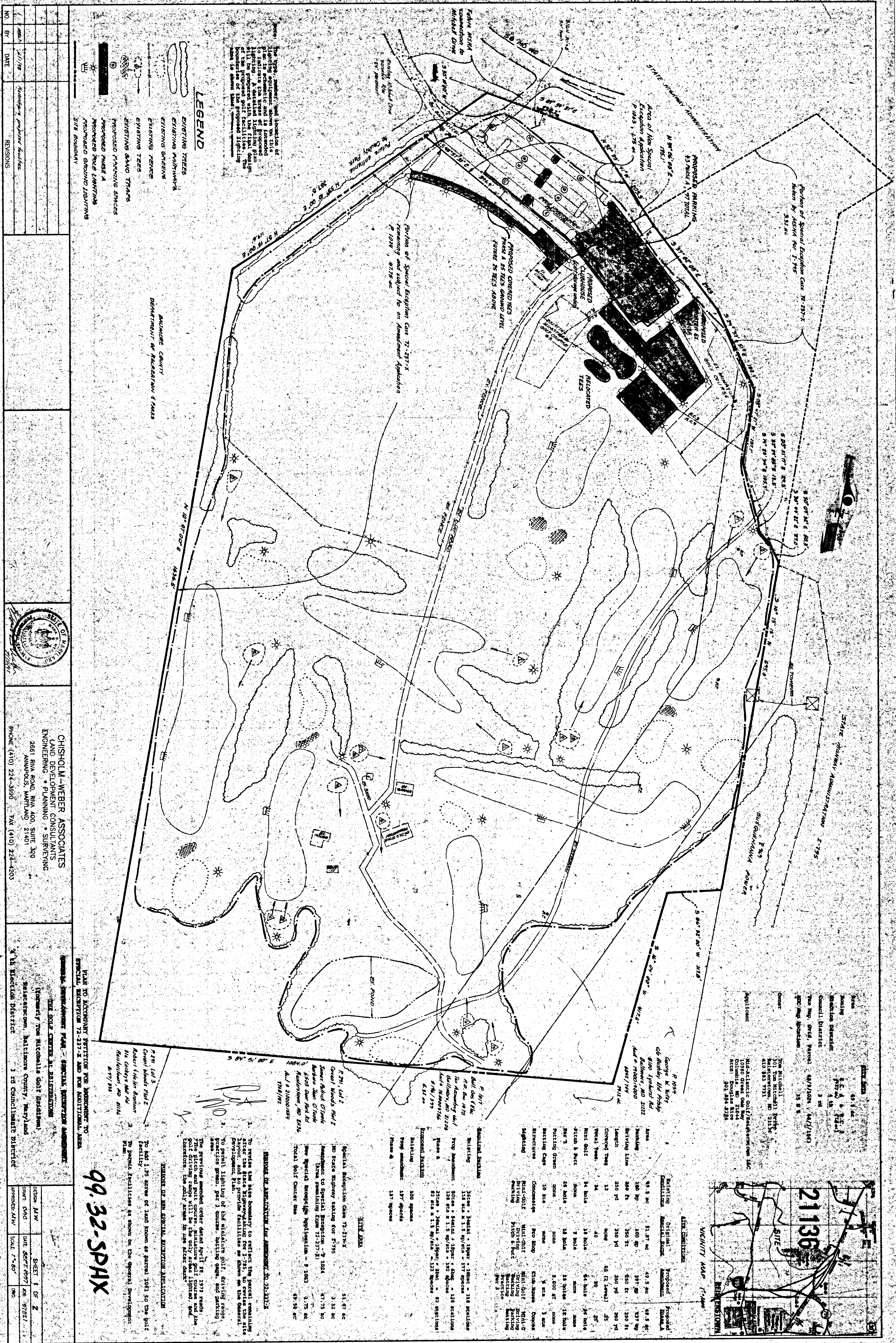
Zoning Map N.W. 16-K

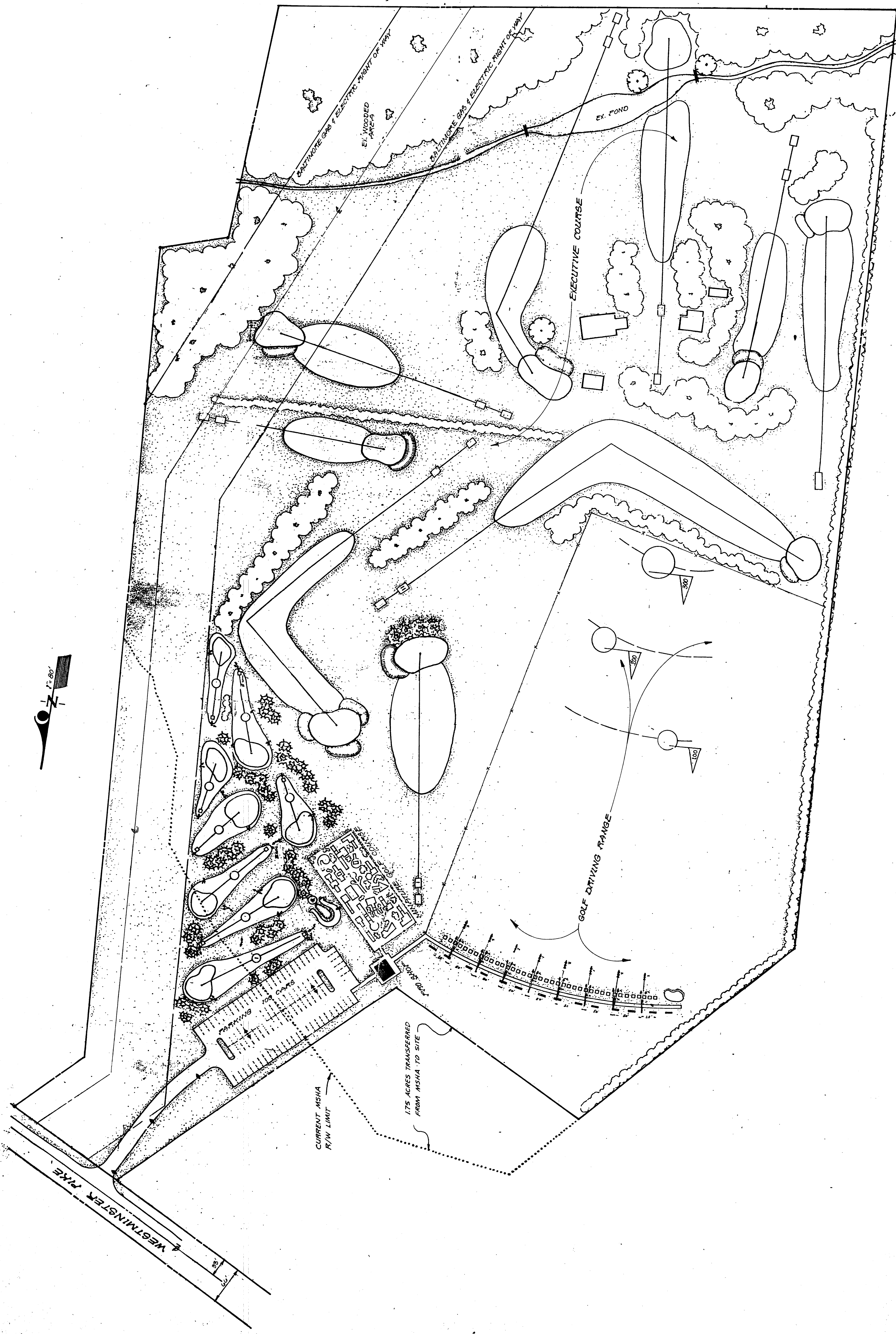
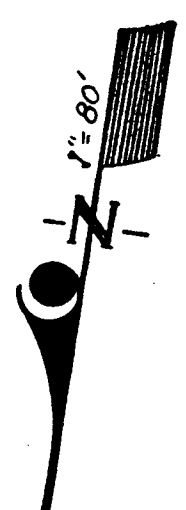
99-32-SPHX



GOLF DRIVING RANGE

Handwritten notes and labels, including 'FORESTED AREA' and other illegible text.

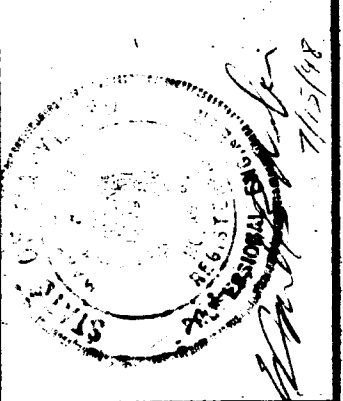




PLAN TO ACCOMPANY PETITION FOR AMENDMENT TO
SPECIAL EXCEPTION 72-237-X AND FOR ADDITIONAL AREA

GENERAL DEVELOPMENT PLAN - APPROVED SPECIAL EXCEPTION 72-237-X
THE GOLF CENTER at REISTERSTOWN
(formerly Tom Mitchells Golf Gridiron)
Reisterstown, Baltimore County, Maryland

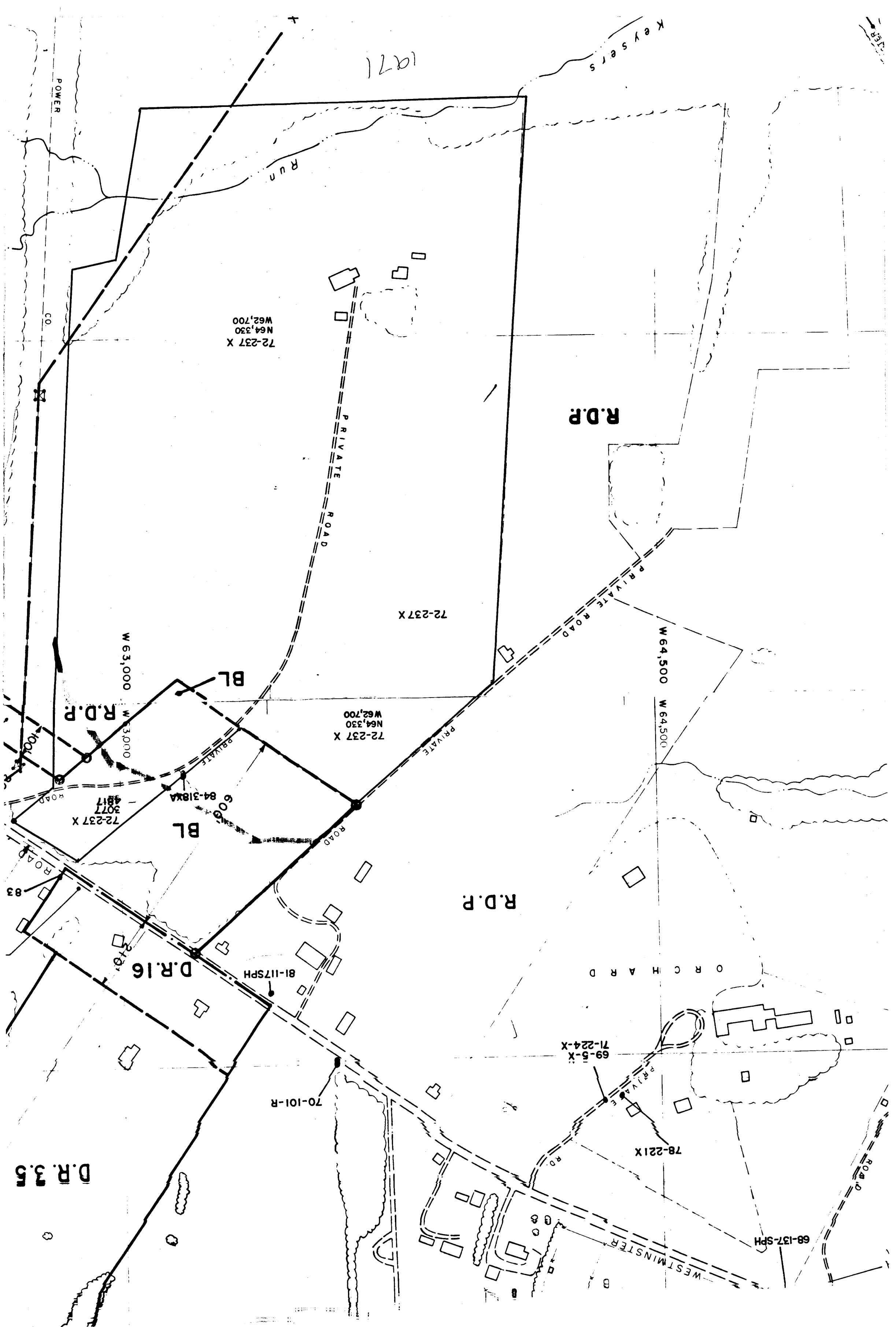
CHISHOLM-WEBER ASSOCIATES
LAND DEVELOPMENT CONSULTANTS
ENGINEERING • PLANNING • SURVEYING
2661 RIVA ROAD, RIVA 400, SUITE 320
ANNAPOLIS, MARYLAND 21401
PHONE (410) 224-3950 FAX (410) 224-4203

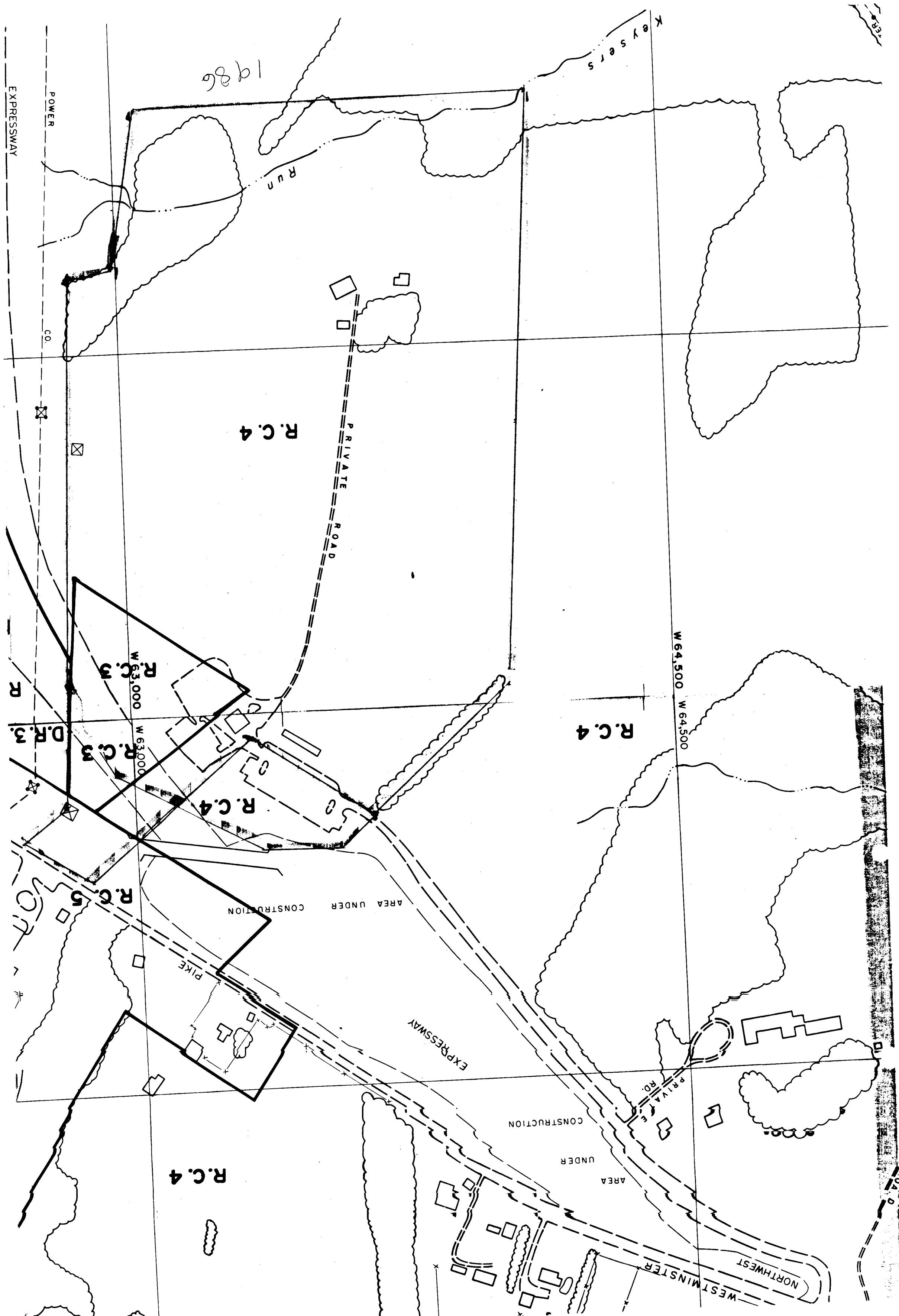


DESIGN: M/W	SHEET 2 OF 2
DRAWN: CAC	DATE: 07/27/1997
APPROVED: M/W	SCALE: 1"=200'

4th Election District 3rd Councilmanic District

NO.	BY	DATE	REVISIONS





1986

Keys

Run

R.C. 4

PRIVATE ROAD

R.C. 4

W 64,500 W 64,500

R.C. 3

W 63,000

R.C. 3

D.R. 3

R.C. 4

R.C. 5

AREA UNDER CONSTRUCTION

PIKE

R.C. 4

CONSTRUCTION

UNDER

AREA

NORTHWEST
WESTMINSTER

040

EXPRESSWAY

POWER

CO.